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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- Fee Transmittal Form (e.g., PTO/SB/17)**
(Submit an original and a duplicate for fee processing)
- Applicant claims small entity status.**
See 37 CFR 1.27.
- Specification** [Total Pages **17**]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113)** [Total Sheets **7**]
- Oath or Declaration** [Total Pages]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet.** See 37 CFR 1.76

Attorney Docket No. 16412/94518-02**First Inventor** Benjamin D. Buster, et al**Title** Batter Swing Training Apparatus**Express Mail Label No.** EV324236477US
ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. **Specification Sequence Listing on:**
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of Attorney (when there is an assignee)
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(13)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: **Certificate of Express Mail**

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

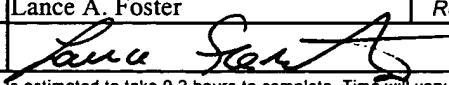
 Continuation Divisional Continuation-in-part (CIP)of prior application No. **10 /036,276**

Prior application information:

Examiner **M. Aryanpour**Group Art Unit: **3711**

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered apart of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19 CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label	<input type="checkbox"/> (Insert Customer No. or Attach bar code label here)			<input checked="" type="checkbox"/> Correspondence address below
Name	Lance A. Foster			
Address	Jones, Walker, Waechter, Poitevent, Carrere & Denegre, L.L.P. 8555 United Plaza Boulevard, 4th Floor			
City	Baton Rouge	State	Louisiana	Zip Code 70809
Country	USA	Telephone	(225) 248-2106	Fax (225) 248-3006
Name (Print/Type)	Lance A. Foster		Registration No. (Attomey/Agent)	38,882
Signature			Date	6 OCTO 03

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 385.00)

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Benjamin D. Buster, et al
Examiner Name	
Art Unit	
Attorney Docket No.	16412/94518-02

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None Deposit Account:

Deposit Account Number	
Deposit Account Name	

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	385
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$ 385.00)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	20	-20** =	0	x	9	=	0	Fee from Extra Claims below	Fee Paid
Independent Claims	3	- 3** =	3	x	4.3	=	3		
Multiple Dependent									

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 0.00)

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath		
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet		
1053 130	1053 130	Non-English specification		
1812 2,520	1812 2,520	Filing a request for ex parte reexamination		
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action		
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action		
1251 110	2251 55	Extension for reply within first month		
1252 410	2252 205	Extension for reply within second month		
1253 930	2253 465	Extension for reply within third month		
1254 1,450	2254 725	Extension for reply within fourth month		
1255 1,970	2255 985	Extension for reply within fifth month		
1401 320	2401 160	Notice of Appeal		
1402 320	2402 160	Filing a brief in support of an appeal		
1403 280	2403 140	Request for oral hearing		
1451 1,510	1451 1,510	Petition to Institute a public use proceeding		
1452 110	2452 55	Petition to revive - unavoidable		
1453 1,300	2453 650	Petition to revive - unintentional		
1501 1,300	2501 650	Utility issue fee (or reissue)		
1502 470	2502 235	Design issue fee		
1503 630	2503 315	Plant issue fee		
1460 130	1460 130	Petitions to the Commissioner		
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)		
1806 180	1806 180	Submission of Information Disclosure Stmt		
8021 40	8021 40	Recording each patent assignment per property (times number of properties)		
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))		
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))		
1801 750	2801 375	Request for Continued Examination (RCE)		
1802 900	1802 900	Request for expedited examination of a design application		
Other fee (specify)				
*Reduced by Basic Filing Fee Paid			SUBTOTAL (3)	(\$ 0.00)

(Complete if applicable)

Name (Print/Typo)	LANCE A. FOSTER	Registration No. (Attorney/Agent)	38,882	Telephone	(225) 248-2106
Signature	<i>Lance A. Foster</i>	Date	6 Oct 03		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

IN THE UNITED STATES OF AMERICA
PATENT AND TRADEMARK OFFICE

APPLICANTS: Benjamin D. Buster & Bruce Coody

TITLE: Batter Swing Training Apparatus

DOCKET NO.: 16412/94518-02

EXPRESS MAIL CERTIFICATE

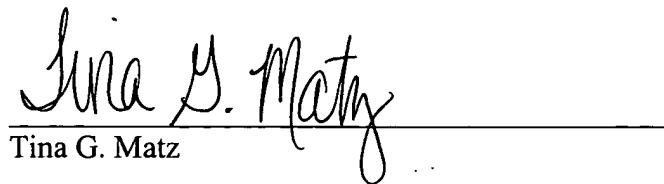
"Express Mail" Label Number EV324236477US

Date of Deposit: October 6, 2003

I hereby certify that the following attached paper or fee:

- Fee Transmittal (1 pg.);
- Utility Patent Application Transmittal (1 pg.);
- Nonpublication Request (1 pg.);
- Patent Application Data Sheet (2 pgs.);
- Utility Patent Application (13 pgs. Spec., 3 pgs. Claims, 1 pg. Abstract);
- 7 Sheets of Drawings;
- Check in the amount of \$385.00 (filing fee); and
- Stamped, return postcard;

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to **Mail Stop New PATENT APPLICATIONS**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Tina G. Matz

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**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(113)(1)**

First Named Inventor	Benjamin D. Buster, et al
Title	Batter Swing Training Apparatus
Atty Docket Number	16412/94518-02

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

6 OCT 03

Date



Signature

Lance A. Foster

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**